REMARKS

Favorable consideration and allowance are requested for claims 12-30 in view of the following remarks.

Status of the Application

Claims 12-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,836,013 to Greene *et al.* ("the Greene patent") in view of U.S. Patent Publication No. 2002/0105955 to Roberts *et. al.* ("the Roberts publication") and further in view of U.S. Patent No. 5,175,632 to Hayashi *et al.* ("the Hayashi patent"). Claims 18-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Green patent, in view of the Roberts publication, in further view of the Hayashi patent, and further in view of U.S. Patent No. 4,821,294 to Thomas, Jr. ("the Thomas patent"). Claims 21-30 were rejected on the same bases as claims 12-20 were rejected. A minor amendment was made to the specification.

Amendment to the Specification

A minor amendment was made to the specification to indicate the priority claim made in the application. No new matter has been added.

Rejection under 35 U.S.C. § 103(a)

According to the Examiner, with respect to claims 12-17, the Greene patent discloses loading a non-compressed boot program and executing the boot program. The Examiner stated that the Greene patent does not teach copying an application program initiated by the boot program from a second memory, but

that one of ordinary skill in the art "would have been motivated to look for a teaching for the possible location of the data being copied therefrom." The Examiner further stated that the Roberts publication teaches a second memory being used to hold an application program.

The Examiner additionally stated, however, that neither the Greene patent nor the Roberts publication teaches a method of simultaneously copying and decompressing an application file. The Examiner then stated that one of ordinary skill in the art "would have been motivated to look for a teaching for the possible sequence of decompressing and copying date to be stored in a memory device." The Examiner further stated that the Hayashi patent discloses a method of simultaneously decompressing and copying data and that it would have been obvious to one of ordinary skill in the art to combine the teachings of the Greene patent and the Roberts publication with the Hayashi patent because the Hayashi patent "covers the deficiency" of the Greene patent and the Roberts publication "by teaching the detail of copying and decompressing data simultaneously."

Applicant respectfully submits that the Examiner has not established a *prima facie* case of obviousness with respect to claim 12 for two reasons. First, the Examiner has failed to provide any suggestion or motivation in the three references themselves or in the knowledge generally available to one of ordinary skill in the art to combine the references. Instead, the Examiner has merely used Applicant's own specification to provide the motivation to combine (1) the

Roberts reference with the Greene patent with respect to loading a program out of a second memory, and (2) the Hayashi patent with the Greene patent and the Roberts reference with respect to simultaneous copying and decompression of the application program. Reliance on the Applicant's own specification for the motivation or suggestion to combine is improper and, therefore, does not establish a *prima facie* case of obviousness. *See* MPEP §§ 2143 & 2143.01.

Second, the Examiner did not indicate how or where the three cited references teach or suggest the limitation in claim 12 "starting said application program through said boot program." For this additional reason, a *prima facie* case of obviousness has not been established. *See* MPEP § 2143.03.

For the reasons stated above, Applicant respectfully submits that the rejection of claim 12 should be withdrawn. In addition, as each of claims 13-17 depends directly or indirectly from claim 12, the Examiner has also failed to establish a *prima facie* case of obviousness of these claims. Therefore, Applicant respectfully submits that the rejection of these claims should be withdrawn as well.

According to the Examiner, claims 18-20 are unpatentable over the Greene patent, in view of the Roberts publication, and in view of the Hayashi patent for the same reasons as applied to claims 12-17, and further in view of the Thomas patent. In response, Applicant submits that the Examiner has failed to establish a *prima facie* case of obviousness with respect to claims 12-17, as discussed above. As the Examiner's statements with respect to the Thomas

patent do not cure the deficiencies of the Examiner's rejections with respect to claims 18-20, the rejection of these claims should be withdrawn as well.

According to the Examiner, claims 21-30 are unpatentable for the same reasons as claims 12-20. As the Examiner has provided no addition grounds for rejection, a *prima facie* case of obviousness has not been established with respect to claims 21-30, and, therefore, Applicant respectfully requests that the rejection of these claims be withdrawn as well.

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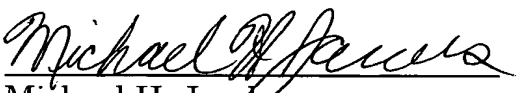
If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #010408.52554US).

Respectfully submitted,

Date: May 24, 2006



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